



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 02-138

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 2002.]

4. Adequacy of References to Related Statutes, Rules and Forms

a. It is not clear why the department’s analysis cites s. 447.04 (2) (a) 6., Stats. Section DE 6.02 (4) (c) appears only to apply to dentists. More generally, the relationship of this rule to the licensure provisions of s. 447.04 (1) (a) 6. and (2) (a) 6., Stats., is unclear.

b. It is also not clear why the department’s analysis fails to cite pertinent provisions of s. 447.07, Stats., especially s. 447.07 (3) (o), Stats., which appear to be the primary provisions being interpreted by the rule.

c. The board should consider using this proposed rule to correct the reference in current s. DE 6.01. It appears that the reference should be to s. 447.07 (3) (o), Stats. Also, the brackets around “in” should be deleted.

5. Clarity, Grammar, Punctuation and Use of Plain Language

One might infer from the department’s analysis that the Examining Board retains authority to approve a dental specialty not approved by the American Dental Association. As drafted, the only specialty that may be advertised is one recognized by the American Dental Association. It is suggested that the first paragraph of the department’s narrative analysis be revised for improved clarity and readability.